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Technology Center 2100

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In re Application of: Maddalozzo, et al.)
Application No. 09/173,040) DECISION ON PETITION TO
Attorney Docket No. AT9-98-132) WITHDRAW HOLDING OF
Filed: October 15, 1998) ABANDONMENT UNDER 37 CFR
For: METHOD OF CONTROLLING WEB) §1.181
BROWSER DOCUMENT IMAGE)
DOWNLOADS AND DISPLAYS)

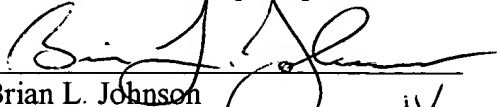
This is a decision on the response to the Notice of Abandonment which is being treated as a petition to withdraw the holding of abandonment, under 37 CFR §1.181, filed on November 4, 2003.

The instant application became abandoned for failure to timely respond to the Office action mailed December 3, 2002. The notice of Abandonment was mailed on October 10, 2003. A grantable petition must include a copy of the response and proof of timely filing of the response. A properly used Certificate of mail or Transmission that includes a 37 CFR 1.8(b)(3) statement or an Office generated Fax receipt that properly identifies the contents of the submission, is acceptable. No fee is required.

Petitioner has provided evidence in the petition that includes: a copy of the response (Appellant's Brief) and transmittal letter; the fee (37 CFR 1.17(c)) for filing an Appeal Brief under 37 CFR 1.192(a); and an Office generated Fax receipt identifying the response, which includes a USPTO receipt date of January 27, 2003.

Since all of the criteria set forth above have been met, the petition is **GRANTED**.

The application is being forwarded to the Supervisory Legal Instruments Examiner with instructions to withdraw the holding of abandonment (restore the instant application to pending status), to enter the response (Appellant's Brief, copy filed November 4, 2003) and to charge the \$320 fee to deposit account 09-0447 for filing the Brief. The application will then be forwarded to the examiner for prompt action on the merits.


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11/23/04